

VOLUME: I
PAGES: 1-97
EXHIBITS: 1-12

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

CASE 23-CV-426-SM

AMRO FARID,)
 Plaintiff)
)
 vs.)
)
TRUSTEES OF DARTMOUTH COLLEGE,)
 Defendant)

DEPOSITION BY ZOOM OF PRASAD V.
JAYANTI, a witness called on behalf of the Plaintiff, pursuant to the Massachusetts Rules of Civil Procedure, before Kelly G. Rae, a Notary Public in and for the Commonwealth of Massachusetts, at Dartmouth College, 15 Thayer Drive, Hanover, New Hampshire, on Thursday, March 20, 2025, commencing at 12:34 p.m.

1 APPEARANCES:

2

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1 I N D E X

2	DEPONENT:	PAGE
3	PRASAD V. JAYANTI	
4	Examination by Mr. Sulman	5
5		
6		

7 E X H I B I T S

8	NO.	PAGE
9	1 Biography of Prasad Jayanti.	15
10	2 PEERS Report.	18
11	3 (i) Email chain.	41
12	3 Email chain.	42
13	4 Dartmouth College Research Misconduct Policy and Procedure.	45
14	5 Email chain.	51
15	6 Email chain.	53
16	7 Email chain.	55
17	8 Email chain.	59
18	9 Email chain.	64
19	10 Email chain.	71
20	11 Email chain.	76
21	12 Meeting minutes May 2, 2023.	88
22		
23		
24		

1 S T I P U L A T I O N S

2 IT IS HEREBY STIPULATED AND AGREED by
3 and between counsel for the respective
4 parties that the Witness will read and sign
5 the deposition transcript under the pains
6 and penalties of perjury; and that the
7 reading and signing is deemed waived if not
8 accomplished within 30 days of transcript
9 delivery.

10 It is further stipulated and agreed
11 that all objections, except as to the form
12 of the questions, and motions to strike
13 will be reserved until the time of trial or
14 pretrial hearing.

15 * * * *

16 THE COURT REPORTER: Will all
17 counsel please stipulate to the swearing in
18 of the witness remotely.

19 MR. SULMAN: Yes.

20 MR. CHABOT: Yup, that's included
21 in the stipulations from Dr. Madden's
22 deposition, but yes, of course.

23 * * *

24 PRASAD V. JAYANTI, a witness

1 called for examination by counsel for the
2 Plaintiff, having been satisfactorily
3 identified by the production of her/his
4 driver's license, being first sworn by the
5 Notary Public, was examined and testified
6 as follows:

DIRECT EXAMINATION

8 (By Mr. Sulman)

9 Q. Good afternoon, sir.

0 A. Good afternoon.

11 Q. Can you please state and spell your name
12 for the record?

13 A. It's Prasad Jayanti. Spelled P-r-a-s-a-d,
14 J-a-y-a-n-t-i.

15 Q. Professor, how are you currently employed?

16 A. I'm a professor of computer science in the
17 Department of Computer Science at Dartmouth
18 College.

19 Q. Are you a full professor or associate
20 professor?

21 | A. Full professor.

22 Q. With tenure?

23 A. With tenure, yes.

24 Q. How long have you been employed by

1 A. Yes, I do.

2 Q. What was the roadblock?

3 A. The two that I mentioned, the volume of the
4 material that we had to process and the
5 expansion of the scope of the case because
6 of the litigation that Farid has with
7 Dartmouth on the other matters.

8 Q. You said -- I'm confused. You said "the
9 expansion of the scope." What do you mean
10 by that?

11 A. Yeah, the legality was brought into
12 picture. Legal notices and so on, so this
13 was no longer just an academic committee
14 looking into an academic collaboration
15 between a student and their professor, so
16 the scope of it has expanded, so these too
17 were concerns on my mind and so.

18 Q. What made you think the investigation had
19 expanded into an issue relating to the
20 lawsuit?

21 MR. CHABOT: Object to the form.
22 You can answer.

23 A. Yeah, again, I don't remember the timelines
24 or the sequence of events, but at some

1 point, as I recall, we were made aware that
2 a lawyer had -- that the student received a
3 notice from Farid's lawyers and so it was
4 no longer just an academic thing, and at
5 some other point, again I don't remember
6 the relative timing of all of these things,
7 I don't have a recollection of that, at
8 some other point we were made aware of
9 Professor Farid's litigation about his
10 tenure with the college and so I don't
11 remember the timeline of -- or the sequence
12 in which all of these things happened,
13 including the email that you're drawing my
14 attention to, but all of these things
15 happened in a relatively narrow window of
16 maybe three or four months.

17 Q. So as of, it seems like, January 2024, the
18 concerns about the scope of the
19 investigation and some relation to an
20 existing lawsuit was on your mind, is that
21 fair to say?

22 MR. CHABOT: Object to the form.
23 You can answer.

24 A. Whether it was January or whether it was

1 sooner, whether it was slightly later, I
2 cannot be too sure -- when you say January,
3 whether there's any importance to that
4 time. I cannot be certain that the
5 recollection is January, but sometime after
6 voluminous responses and the expansion of
7 the scope of the thing, one or both of
8 these things have occurred and I began to
9 become concerned.

10 Q. When did you resign from the committee?

11 A. I'm not sure what the word "resign" --
12 whether the word "resign" is important.
13 Resign, withdraw, request to withdraw.

14 Q. I don't mean any significance by the word,
15 I just mean --

16 A. If you don't attach any significance to the
17 word, then I would say maybe approximately
18 a year, plus or minus a couple of months,
19 and I don't remember the timelines but
20 around that time maybe.

21 Q. You're saying about March 2024?

22 A. Again, when you say March 2024, I'm not
23 saying anything with that level of
24 specificity because I don't recall things

1 that well, but I want to say just in the
2 interest of helping you get an answer to
3 your question, approximately a year, plus
4 or minus two or three months, because I
5 don't quite remember the exact timelines.

6 Q. Well, just to clarify, it's not your job to
7 help me, but I just want your best memory.
8 So when you said about a year ago, that's
9 why I said March.

10 MR. CHABOT: Object to the form.

11 A. It is important to underscore that I'm not
12 a native English speaker and when I say
13 "help," it is in the context of you're a
14 human being and I'm a human being and when
15 you ask a question I sometimes feel it is
16 polite to respond to you, but at the same
17 time if I'm unsure of some timeline, I say
18 that specifically that I'm unsure, and when
19 I say "approximately a year," that is to
20 tell you that it is not two or three years
21 ago, but it's a year ago, plus or minus a
22 few months with a wide tolerance, so when
23 you repeat it with March of 2024, I feel
24 uneasy because I don't want you to go down

1 to that level of specificity with what I
2 said.

3 Q. I understand that. I try to say about
4 March, so give or take a few months or so.

5 A. Again, not with that specificity, but yes,
6 sure.

7 Q. What was the process of withdrawing from
8 the committee. How did you go about doing
9 that?

10 MR. CHABOT: Object to the form.

11 A. How did I go about doing that?

12 Q. Yes.

13 A. By expressing my -- by expressing in the
14 proceedings of the committee when Henrike
15 and her assistant Nicole were also present,
16 by expressing my inability to continue to
17 serve on the committee for the reasons I
18 just elaborated.

19 Q. Was there any formal notice of withdrawal
20 that you had to file or submit?

21 MR. CHABOT: Object to the form.

22 A. I did not submit some physical sheet of
23 paper, if that was the question.

24 Q. Or an email to Director Frowein saying "I'm

1 withdrawing," that kind of thing?

2 A. I do not recall sending such an email to
3 anyone, but I had made it very clear that I
4 would want to withdraw from continuing to
5 serve on the committee, which was honored,
6 respected and I respect that.

Q. Did you feel that you asked permission to withdraw or did you simply tell them you were withdrawing?

10 A. Again, withdraw is not necessarily the word
11 that I used, so, again, don't attach any
12 importance to words like "withdraw,"
13 "resign," but I had made it very clear that
14 I'm not interested in continuing to serve.

15 Q. So you expressed -- you made it clear that
16 you weren't interested in continuing and
17 when you did that, is it fair to say
18 Director Frowein ultimately accepted that
19 and said they would find someone else?

20 MR. CHABOT: Object to the form.

21 A. It was honored, I mean, in the sense
22 that -- it was honored. I requested to
23 withdraw and I recall some sort of
24 communication. I don't remember the mode

1 of the communication that helped me
2 understand that I have withdrawn in the
3 past.

4 Q. Are there any other reasons for your
5 request to withdraw, other than the volume
6 of material and expansive scope of the
7 investigation?

8 MR. CHABOT: I'll object to the
9 form. You can answer.

10 A. Yeah, the reasons were volume and the fact
11 that it's -- by "expansion of scope," I
12 meant that it was no longer just a matter,
13 a university committee, but it became an
14 issue of litigation, so those were the
15 reasons.

16 Q. When you say "it became an issue of
17 litigation," did you mean that you feared
18 your own liability or you just thought it
19 became too complicated?

20 A. Both.

21 Q. When you say you feared your own liability,
22 liability in what way?

23 MR. CHABOT: Object to the form.

24 A. Liability in the form of having to spend

1 enormous amounts of time talking to
2 lawyers, answering lawyers, and going to
3 the courts and so on, and I had no time for
4 it given my other obligations
5 professionally and personally.

Q. Just to push down on that a little bit. Do you mean "liability" in that you might personally be sued by either party in the investigation or simply being a witness?

10 A. In any form. I cannot answer your question
11 specifically because it's not like I spent
12 hours of time thinking about whether I'd be
13 sued or be a witness, but I've spent a lot
14 of time already and I was not in a position
15 to give it enormous amounts of time in the
16 future.

17 Q. One more question on this. Did you have
18 any thought that "Oh, Mr. Hegde might sue
19 me later" or "Professor Farid might sue me
20 later" or was it general fear of being
21 involved later?

22 MR. CHABOT: Object to the form.

23 A. First of all, I would not characterize it
24 as fear, and if you can repeat the rest of

1 the question.

2 Q. Was it -- withdraw the word "fear". Was it
3 concern or an issue of either Mr. Hegde
4 might sue me later or Professor Farid might
5 sue me later or I just might be involved in
6 some litigation later?

7 MR. CHABOT: Object to the form.

8 A. You're asking A or B or C. If any of A or
9 B or C, the answer is true, so let me
10 answer yes and you can go to the individual
11 clause now.

12 Q. So is it all of the above?

13 A. No.

14 Q. Which one is it?

15 A. Can you repeat the individual clauses?

16 Q. So were you concerned, I use the term very
17 broadly, about either Mr. Hegde naming you
18 in a lawsuit or Professor Farid naming you
19 in a lawsuit and/or simply being caught up
20 in litigation later as a witness?

21 A. I heard this question as identical to the
22 previous question, and if it was so, the
23 answer is yes, because again you asked A or
24 B or C and my answer is yes.

1 Q. Well, can you answer? Is it A or B or is
2 it C?

3 MR. CHABOT: Object to the form.

4 A. My answer is for A or B or C, yes.

5 Q. My question is were you concerned about A?

6 A. What A happens to be?

7 Q. I just said it, sir. Were you afraid of
8 being caught up in a lawsuit brought by
9 Professor Hegde?

10 A. I would not characterize it as fear or
11 afraid of but you used the word "concern"
12 before which appears right to me, but if
13 the question is am I concerned about -- was
14 I concerned about being sued by Hegde, the
15 answer is no.

16 Q. Were you concerned about being sued by
17 Professor Farid?

18 A. I cannot answer that question because I
19 don't know that I thought in terms of being
20 sued.

21 Q. Were you concerned about being caught up in
22 a lawsuit brought by Professor Farid?

23 A. I was concerned that I could be -- I might
24 have to spend a lot of time in litigation.

1 Q. Brought by Professor Farid?

2 A. Yes. I hope you don't mind me eating a
3 banana.

4 Q. Not at all, sir.

5 A. Thank you.

6 Q. I'm sending you Exhibit 12. Let me know
7 when you have it open.

8 (Meeting minutes May 2, 2023

9 marked Exhibit No. 12 for Identification.)

10 A. I have it in front of me.

11 Q. This appears to be minutes from the
12 May 2, 2023 meeting of the research
13 misconduct investigation committee. I just
14 wanted you to take a minute to review it
15 and let me know if you recall anything else
16 that was said at this meeting that's not
17 reflected here?

18 A. When you say "review it," you are expecting
19 me to read it?

20 Q. I am, yes.

21 A. Okay, I'll read it out because as I said,
22 I'm a very slow reader of any language,
23 English in particular, so I'll read it out,
24 which helps me.